

Message Text

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ACTION STR-04

INFO OCT-01 EUR-12 EA-07 IO-13 ISO-00 AGR-05 CEA-01

CIAE-00 COME-00 DODE-00 EB-07 FRB-03 H-02 INR-07

INT-05 L-03 LAB-04 NSAE-00 NSC-05 PA-01 AID-05

CIEP-01 SS-15 ITC-01 TRSE-00 USIA-06 PRS-01 SP-02

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TO SECSTATE WASHDC PRIORITY 2661

USMISSION EC BRUSSELS PRIORITY

AMEMBASSY OTTAWA

AMEMBASSY STOCKHOLM

USMISSION OECD PARIS

USDEL MTN GENEVA

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E.O. 11652: N/A

TAGS: ETRD, OECD, MIN

SUBJECT: GOVERNMENT PROCUREMENT

REF: STATE 234316

1. EMBOFF MET WITH DEPUTY DIRECTOR HARASHIMA OF SECOND INTERNATIONAL ORGANIZATIONS DIVISION, ECONOMIC AFFAIRS BUREAU, MOFA, WHO CHARACTERIZED FOLLOWING REACTION TO US POSITIONS CONTAINED IN REFTEL AS "PRELIMINARY RESULT OF CONSULTATION AMONG MINISTRIES OF FOREIGN AFFAIRS, FINANCE, AGRICULTURE AND ECONOMIC PLANNING AGENCY." BASICALLY JAPAN HAS NO PROBLEM WITH EITHER THE CONTENTS OF THE DRAFT OR WITH EFFORTS AT THE NEXT WORKING PARTY MEETING TO MAKE IT AS CLEAN AS POSSIBLE WITH THE AIM OF TRANSMITTING IT TO THE MTN SUBGROUP. BUT THE INSTRUMENT STILL CONTAINS NOT A FEW POINTS ON WHICH DIVERGENT OPINIONS EXIST EVEN AFTER YEARS OF DIS-

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CUSSION. IT THEREFORE MAY PROVE DIFFICULT TO DRAFT AN INSTRUMENT

WITHOUT PENDING CLAUSES.

2. IF AT THE TCWP MEETING THE MAJORITY ARE IN FAVOR OF TRANSMITTING A TIDIED UP VERSION TO GENEVA, JAPAN WOULD HAVE NO OBJECTION AFTER RECEIVING AN OFFICIAL REQUEST FROM THE GATT SECRETARIAT AND TAKING THE NECESSARY PROCEDURAL STEPS. IT WILL BE NECESSARY HOWEVER, TO MAKE CLEAR THAT DRAFT INSTRUMENT IS RESULT OF DISCUSSIONS WHICH HAVE TAKEN PLACE ON A NON-COMMITMENT BASIS.

3. CONCERNING FURNISHING OTHER DOCUMENTS, THE GOJ WANTS TO STUDY THE QUESTION ON A CASE BY CASE BASIS.

4. ON TRANSPARENCY, THE GOJ GREATLY APPRECIATES THE US EFFORT TO FACILITATE PRESENT WORK AND WILL BE IN NO POSITION TO OBJECT AT THE TCWP. THE INTENTION TO DELETE ARTICLE DEALING WITH PUBLICATIONS OF RESULTS OF BIDDING WOULD CONTRIBUTE TO FACILITATING DISCUSSIONS IN THE OECD, BUT JAPAN HAS PROBLEMS WITH SEVERAL POINTS IN THE US PROPOSALS, E.G., THE SECOND SENTENCES OF PARAGRAPHS 33 AND 35. ADDITIONALLY, THE US PROPOSAL WOULD NECESSITATE NEW REVISIONS OF SEVERAL PARAGRAPHS WHICH HAVE ALREADY BEEN AGREED UPON. CARE MUST THEREFORE BE TAKEN TO ASSURE THAT PREVIOUS WORK WILL NOT BE UNDONE IN THE EFFORT TO TIGHTEN THE DRAFT.

5. CONCERNING THE FURTHER PROPOSALS RELATING TO ACCESSION TO CODE, ENTRY INTO FORCE, ETC., THE GOJ IS NOT NOW IN A POSITION TO COMMENT, BUT POSES NO OBJECTION TO THEIR BEING RAISED AT THE NEXT TCWP MEETING. HARASHIMA ADDED, HOWEVER, THAT THE FOREIGN MINISTRY'S PRELIMINARY REACTION IS THAT THE PROPOSALS "MUST BE STUDIED TAKING INTO ACCOUNT SUBSTANTIVE CONTENT OF THE INSTRUMENT ITSELF." IN VIEW OF ANTICIPATED DIFFICULTIES IN MAINTAINING THE AGREED OECD POSITION IN THE GATT, HARASHIMA SAID, IT MAY BE PREMATURE TO RAISE SUCH ISSUES.

HODGSON

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